Supreme Court, U. S.
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SUPPLEMENTAL APPENDIX

In the Supreme Court of the United States

OCTOBER TERM, 1978

No. 77-1829

GRIFFIN B. BELL, ET AL.,

Petitioners

—*v.*—

LOUIS WOLFISH, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

PETITION FOR CERTIORARI FILED JUNE 23, 1978
CERTIORARI GRANTED OCTOBER 2, 1978

In the Supreme Court of the United States

OCTOBER TERM, 1978

No. 77-1829

GRIFFIN B. BELL, ET AL.,

Petitioners

—*v.*—

LOUIS WOLFISH, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

75 Civ. 6000 (MDF)
10-20-76

UNITED STATES OF AMERICA, EX REL.
LOUIS WOLFISH, *et al.*, RELATORS

—against—

EDWARD LEVI, ET AL., RESPONDENTS

RESPONDENTS' RULE 9(g) STATEMENT OF FACTS CONCERNING WHICH THEY CONTEND THERE EXIST NO GENUINE ISSUE

Pursuant to Rule 9(g) of the General Rules of this Court, the respondents submit that there are no genuine issues to be tried as to the following material facts relating to relators' motion for summary judgment dated September 16, 1976 and respondents' cross motion dated October 18, 1976:

1. The following is a description of each of the residential units at the MCC and the furnishings in each as of approximately August 18, 1976:

SECOND FLOOR

Honor Unit

This housing unit is located on the second floor and consists of three clusters of residential rooms: one cluster of five rooms; one cluster of seven rooms; and one cluster of eight rooms. These clusters open onto a multi-purpose area which consists of approximately 674.97 square feet of floor space.

(i) *Five Room Cluster*

The residential rooms in this cluster which open onto a corridor (8′-6″ x 31′-9¼″, or approximately 298.97 sq.

ft.)* have the following (approximate) square feet of floor space and contain the following number of beds:

Rm. No.	Sq. Ft.	Beds
A-201	103.3	1
A-202	114.79	2
A-203	98.5	1
A-204	118.45	2
A-205	115.12	2

(ii) *Eight Room Cluster*

The residential rooms in this cluster which open onto a corridor (8′-6″ x 31′-9¼″, or approximately 298.97 sq. ft.) have the following (approximate) square feet of floor space and contain the following number of beds:

Rm. No.	Sq. Ft.	Beds
B-207	117.2	2
B-208	115.84	2
B-209	98.5	1
B-210	114.79	2
B-211	98.5	1
B-212	115.17	2
B-213	115.42	2
B-214	101.91	1

(iii) *Seven Room Cluster*

The residential rooms in this cluster which open onto a corridor (8′-6″ x 31′-9¼″, or approximately 298.97 sq. ft.) have the following (approximate) square feet of floor space and contain the following number of beds:

* The room and area dimensions and square footage computations relating to the MCC contained hereinafter are based upon the information contained in the architectural plans of the MCC, relevant portions of which are submitted herewith and made a part hereof as Exhibit 1. So as to protect against unwarranted and unnecessary disclosure of the information contained therein (see transcript of the hearing before this Court on August 16, 1976) we request that the Court place these plans under seal.

Rm. No.	Sq. Ft.	Beds
C-215	114.62	2
C-216	115.84	2
C-217	98.5	1
C-218	114.79	2
C-219	98.5	1
C-220	115.17	2
C-221	122.9	2

Each room contains two windows (51″ x 22″ each), a washbasin and toilet, chair, mirror and light fixture, towel rack and shelf, light and wall bracket.*

There are two shower rooms (7′-3″ x 4′-9″; 9′-9½″ x 5′0″) each containing two shower-heads with a dressing room (5′-6″ x 7′-3″; 5′-3″ x 7′-1″) for use by the inmates housed in this unit. In addition, there is common bathroom (containing washbasin and toilet) available for use by inmates.

A special room (16′-9″ x 9′-7″) with a private shower as well as toilet and washbasin is located in this area and is equipped for and used as an Emergency or Intensive Care Unit. Room A-201 also contains a private shower and is used, as needed, by the Hospital Unit as an isolation room.

(iv) *Other Rooms*

Staff Office (11′-1″ x 12′ x 1″)
Linen & Utility Rm. (9′-3″ x 11′-11″)
Janitorial Rm. containing a clothes washer and drier
Pantry (9′-4½″ x 9′-3″, or 86.3 sq. ft.) containing:

- 1 coffee urn (4 unit)
- 1 toaster
- 1 microwave oven and table
- 1 wall unit containing a 2-burner stove, 2 door refrigerator, ice-maker and sink
- 1 drink dispenser (double unit)

* Desks (w/3 drawers), small tables and cabinets and additional chairs have been distributed throughout this unit for use by inmates in their rooms.

Visiting Rm.* containing:

1 bathroom
1 water fountain
Search Rm.

Multipurpose Area (28′-9″ x 22′-9″, or approximately 674.97 sq. ft.) containing:

20 chairs
2 couches
1 pay telephone
2 long-distance telephones **
1 25″ color T.V.

12 tables
1 U-shaped work table
1 two-unit mail box (personal & attorney mail)
1 jogging machine
1 exercycle

THIRD FLOOR

There is one residential unit on the Third Floor consisting of a total of 24 rooms arranged in three clusters of 8 rooms each; these clusters open onto a single story multipurpose room, see below). Except for individual residential rooms. bathroom and shower facilities and the pantry, all areas in this unit have wall to wall carpeting.

(i) Residential Rm:

Residential rooms in each cluster open onto a corridor *** (34′-6″ x 10′-10″, or approximately 339.95 sq. ft.) and have the following (approximate) dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
12	11′-6″ x 7′-6″	75.9
8	11′-6″ x 7′-8″	76.99
4	11′-6″ x 7′-9″	77.66

* This room is not used; inmates housed on this floor receive visitors in the 5th Floor visiting room.

** Installed as of October 7, 1976; see preliminary injunction issued in this action on September 30, 1976.

*** Each corridor has two windows, each window measuring approximately 17″ x 52″.

Window (20 of 24 rooms) (22″ x 51½″)
Bunkbed
Desk (w/3 drawers)
Chair
Washbasin and toilet
Towel rack and shelf
Mirror and light fixture
Lamp and wall bracket

In addition, there are three showers in this unit, one in each cluster. Twenty of the 24 residential rooms either presently have a book shelf or will have a book shelf after security modifications are completed.

(ii) Multipurpose room (42′ x 38′-4″, or approximately 1497.9 sq. ft.) and a separate recreation room with corridor (approximately 352.64 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each window measuring 9′-0 x 6′-3″ divided into 4 vertical sections and 2 horizontal sections

Window (Rec. Rm):

1 window 13′-6″ x 3′-4″ divided into 3 vertical sections
1 pool table
3 couches
3 lounge chairs
23 chairs
5 tables (eating)
4 coffee tables
2 pay telephones
2 long distance telephones *
2 T.V.'s (one color)
1 ping pong table
1 jogging machine
1 iron and ironing board
1 clothes washer and drier
1 janitorial closet
1 linen closet

* Installed as of October 7, 1976.

1 two-unit mail box (personal & attorney mail)
1 water fountain
1 exercycle
1 medicine ball
1 typewriter

(iii) Visiting room (approximately 318.57 sq. ft.), with a separate search room, containing:

1 window 15′-3″ x 3′-4″
1 table
3 coffee tables
5 chairs
1 couch
1 water fountain

(iv) Food Pantry (approximately 365.71 sq. ft) containing:

1 serving table
1 microwave oven and table
1 drink dispenser (double unit)
1 automatic coffee machine
1 refrigerator/freezer
1 ice machine
1 condiment table (w/6 unit holder)
1 counter (w/sink and storage area)
trash barrels

FIFTH AND SIXTH FLOORS

There are two housing units on these floors designated as 5 North and 5 South.

5 South

5 South consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual residential rooms, bathroom and showers facilities and the pantry, all areas of this unit have wall-to-wall carpeting.

(i) Residential Rm:

Residential rooms in each cluster open onto a corridor. The three corridors on the lower lower level each measure approximately 29′-6″ x 10-0″, or295 sq. ft.; the three

corridors on the upper level, including the landing, measure approximately 33′-2″ x 10′-0″, or 319.77 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

Window (22″ x 51½″)
Bed (w/2 drawers)
Desk (w/3 drawers) and chair
Lamp and wall bracket
Book shelf
Towel rack and shelf
Mirror and light fixture
Washbasin

In addition, two toilets, one shower, and two additional washbasins are located in each 8 room cluster, for a total of 12 toilets, 6 showers and 12 washbasins.

(ii) Multipurpose room with alcoves (42′ x 38′-4″, or approximately 1649.52 sq. ft) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6′ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

19 tables (eating)
7 coffee tables
3 lounge chairs
66 chairs
4 couches
2 pay telephones

2 long distance telephones *
1 two-unit mailbox (personal and attorney mail)
1 bookcase
1 water fountain
1 pool table
1 ping pong table
1 exercycle
1 exercise chair
1 color T.V.
1 black and white T.V.
1 iron and ironing board
1 sewing machine
1 jogging machine
1 set of wall-exercise pulleys
1 medicine ball
1 typewriter
1 clothes washer and drier
linen closet
janitorial closet (with cleaning equipment)

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

black board
tack board
table
15 school desks

(iv) Pantry with corridor (approximately 520.78 sq. ft.) containing:

1 microwave oven and table
1 toaster
1 coffee maker
1 refrigerator/freezer
1 ice machine
1 sink and cabinet unit

(v) Visiting Rm (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with adjacent inmate search room, containing:

* Installed as of October 7, 1976.

1 window 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
26 chairs
tables
couches
1 water fountain

5 North

5 North consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual rooms, bathroom and shower facilities and the pantry, all areas of this unit have wall-to-wall carpeting.

(i) Residential Rooms:

Residential rooms in each cluster open onto a corridor.* The three corridors on the lower level each measure approximately 34′-6″ x 10′-0″, or 339.35 sq. ft.; the three corridors on the upper level, including stairway landings, measure approximately 38′-2″ x 10′-0″, or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

Window (22″ x 51½″)
Bed (w/2 drawers)
Desk (w/3 drawers) and chair
Lamp and wall bracket
Book shelf
Towel rack and shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers.

* Each corridor has two windows, each window measuring approximately 17″ x 52″.

(ii) Multipurpose room with alcoves (42′ x 38′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Rec. Rm.):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

13 tables (eating)
30 chairs
4 coffee tables
3 couches
3 lounge chairs
1 two-unit mailbox (personal & attorney mail)
2 pay telephones
2 long distance telephones *
2 color T.V.'s
1 bookcase
1 water fountain
1 typewriter
1 medicine ball
1 jogging machine
1 exercycle
1 ping pong table
1 clothes washer and drier
linen closet
janitorial closet (w/cleaning equipment)

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

blackboard
tack board
1 pool table

* Installed as of October 7, 1976.

(iv) Pantry with corridor (approximately 520.78 sq. ft.) containing:

1 serving table
1 microwave oven and table
1 drink dispenser (double unit)
1 coffee urn (4 unit)
1 toaster
1 refrigerator/freezer
1 ice machine
1 condiment table (w/6 unit holder)
1 counter (w/sink and storage area)
trash barrels
1 sink

(v) Visiting Rm (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with adjacent inmate search room, containing:

1 window measuring 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
26 chairs
tables
couches
1 water fountain

Administrative and Staff Offices

Adjacent to the education areas on 5 North and 5 South are a total of eight offices used by the Unit Management Team, and for counseling; in addition 2 bathrooms (washbasin and toilet) are located in this area, one in 5 North and one in 5 South.

SEVENTH AND EIGHTH FLOORS

There are two housing units on these floors designated as 7 North and 7 South.

7 North

7 North consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual residential rooms, bathroom and

shower facilities, and the pantry, all areas of this unit have wall to wall carpeting.

(i) Residential Rooms

Residential rooms in each cluster open onto a corridor.* The three corridors on the lower level each measure approximately 34′-6 x 10′-0″, or 339.35 sq. ft.; the three corridors on the upper level, including stairway landings, measure approximately 38′-2″ x 10′-0″, or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

37 rooms have single beds (w/2 drawers)
11 rooms have bunk beds (w/2 drawers)
Window (22″ x 51½″)
Desk (w/3 drawers) and chair **
Lamp and wall bracket
Book shelf
Towel rack and shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers.

(ii) Multipurpose room with alcoves (42′ x 38′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

* Each corridor has two windows, each window measuring approximately 17″ x 52″.

** Two chairs are included in most rooms with bunk beds.

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections
57 chairs
14 tables (eating)
1 two-unit mailbox (personal & attorney mail)
3 coffee tables
3 lounge chairs
3 couches
2 pay telephones
2 long distance telephones *
2 color T.V.'s
1 pool table
1 water fountain
1 typewriter
1 jogging machine
1 medicine ball
1 exercycle
1 ping pong table
1 clothes washer and drier
linen closet
janitorial closet (w/cleaning equipment)

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

black board
tack board
table
14 school desks

(iv) Pantry with corridor (approximately 520.78 sq. ft) containing:

1 serving table
1 microwave oven and table
1 toaster
1 coffee urn (4 unit)
1 sink
1 drink dispenser (double unit)

* Installed as of October 7, 1976.

1 refrigerator/freezer
1 ice machine
1 condiment table (w/6 unit holder)
1 counter (w/sink and storage area)
trash barrels

(v) Visiting Rm (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with adjacent inmate search room, containing:

1 window measuring 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
2 couches
9 lounge chairs
8 chairs
2 tables
3 coffee tables
1 water fountain

7 South

7 South consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual rooms, bathroom and shower facilities and the pantry, all areas of each unit have wall-to-wall carpeting.

(i) Residential Room:

Residential rooms in each cluster open onto a corridor.* The three corridors on the lower level each measure approximately 34′-6″ x 10′-0″, or 339.35 sq. ft.; the three corridors on the upper level, including stairway landings, measure approximately 38′-2″ x 10′-0″, or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

* Each corridor has two windows, each window measuring approximately 17″ x 52″.

Window (22″ x 51½″)
Bed (w/2 drawers)
Desks (w/3 drawers) and chair
Lamp and wall bracket
Towel rack and shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers.

(ii) Multipurpose room with alcoves (42′ x 38′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7″-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

43 chairs
9 tables (eating)
1 coffee table
3 lounge chairs
3 couches
6 swivel chairs
2 pay telephones
2 long distance telephones *
2 color T.V.'s
1 water fountain
1 pool table
1 ping pong table
1 medicine ball
1 typewriter

* Installed as of October 7, 1976.

1 jogging machine
1 exercycle
1 clothes washer and drier
linen closet
janitorial closet (w/cleaning equipment)
1 two-unit mailbox (personal & attorney mail)

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

blackboard
tack board
table
16 school desks

(iv) Pantry with corridor (approximately 528.78 sq. ft.) containing:

1 serving table
1 microwave oven and table
1 coffee urn (double unit)
1 drink dispenser (double unit)
1 refrigerator/freezer
1 ice machine
1 sink
1 condiment table (w/6 unit holders)
1 counter (w/sink and storage area)
trash barrels

(v) Visiting Room (21′-8″ x 19′-½″, or approximately 415.35 sq. ft) with an adjacent inmate search room, containing:

1 window measuring 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
2 couches
8 swivel chairs
14 chairs
3 tables
2 coffee tables
1 water fountain

Administrative and Staff Offices

Adjacent to the education areas on 7 North and 7 South are a total of eight offices used by the Unit Management Team, and for counseling; in addition, 2 bathrooms (washbasin and toilet) are located in this area, one in 7 North and one in 7 South.

NINTH AND TENTH FLOORS

There are two housing units on these floors designated as 9 North and 9 South.

9 North

9 North consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual residential rooms, bathroom and shower facilities and the pantry, all areas of this unit have wall-to-wall carpeting.

(i) Residential Rooms

Residential rooms in each cluster open onto a corridor.* The three corridors on the lower level each measure approximately 34′-6″ x 1[illegible]′-0″, or 339.35 sq. ft.; the three corridors on the upper level including stairway landings, measure approximately 38′-2″ x 10′-0″ or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.97
8	7′-9″ x 11′-6″	77.66

23 rooms have bunk beds (w/2 drawers)
25 rooms have single beds (w/2 drawers)
Desk (w/3 drawers) and chair **

* Each corridor has two windows, each window measuring approximately 17″ x 52″.

** Two chairs are included in most rooms with bunk beds.

Lamp and wall bracket
Book shelf
Towel rack and shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers.

(ii) Multipurpose room with alcove (42′ x 38′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6 x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

8 tables (eating)
32 chairs
6 coffee tables
4 couches
3 lounge chairs
2 pay telephones
2 long distance telephones *
2 color T.V.'s
1 black and white T.V.
1 jogging machine
1 typewriter
1 medicine ball
1 exercycle
1 water fountain
1 two-unit mailbox (personal and attorney mail)
1 pool table

* Installed as of October 7, 1976.

1 ping pong table
1 clothes washer and drier
linen closet
janitorial closet (w/cleaning equipment)

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

blackboard
tack board
table
16 school desks

(iv) Pantry with corridor (approximately 529.78 sq. ft.) containing:

1 serving table
1 microwave oven and table
1 drink dispenser (double unit)
1 coffee urn (4 unit)
1 toaster
1 refrigerator/freezer
1 sink
1 ice machine
1 condiment table (w/6 unit holders)
1 counter (w/sink and storage area)
trash barrels

(v) Visiting Room (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with adjacent inmate search room, containing:

1 window measuring 19′ x 3′-4″ divided into 5 vertical sections

11 chairs
2 tables
2 coffee tables
1 couch
9 swivel chairs
1 bathroom
1 water fountain

9 South

9 South consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual rooms, bathroom and shower facilities and the pantry, all areas of this unit have wall-to-wall carpeting.

(i) Residential Rooms:

Residential rooms in each cluster open onto a corridor.* The three corridors on the lower level each measuring approximately 34′-6″ x 10′-9″, or 339.35 sq. ft.; the three corridors on the upper level, including stairway landings, measure approximately 38′-2″ x 10′-0″, or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

Window (22″ x 51½″)
Bed (w/2 drawers)**
Desk (w/3 drawers) and chair
Towel rack and shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers. Heavy duty security screens have been placed over the windows in 24 of the residential rooms.

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* Each corridor has two windows, each window measuring approximately 17″ x 52″.

** Except the 8 rooms used for disciplinary segregation which contain a metal-brass bed bolted to the floor; when necessary, for safety reasons or to prevent distruction of property, on occasions, the desk and shelf have been removed. In addition, the carpeting in the corridor for this 8-room cluster has been removed and replaced with vinyl tile.

(ii) Multipurpose room with alcoves (42′ x 36′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.):

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

7 tables (eating)
32 chairs
6 coffee tables
4 couches
2 lounge chairs
2 pay telephones
2 long distance telephones *
2 color T.V.'s
1 bookcase
1 water fountain
1 pool table
1 ping pong table
1 jogging machine
1 typewriter
1 medicine ball
1 exercycle
1 clothes washer and drier
linen closet
janitorial (w/cleaning equipment)
2 mailboxes

(iii) Education area with corridor (approximately 919.84 sq. ft.) containing:

tack board
table
16 school desks

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* Installed as of October 7, 1976.

(iv) Pantry with corridor (approximately 520.78 sq. ft.) containing:

1 serving table
1 microwave oven and table
1 drink dispenser (double unit)
1 coffee urn (4 unit)
1 toaster
1 sink
1 refrigerator/freezer
1 ice machine
1 condiment table (w/6 unit holders)
1 counter (w/sink and storage areas)
trash barrels

(v) Visiting Room (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with an adjacent inmate search room containing:

1 window measuring 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
1 water fountain
12 chairs
2 tables
3 coffee tables
1 couch
5 swivel chairs

Administrative and Staff Offices

Adjacent to the education areas on 9 North and 9 South are eight offices used by the Unit Management Team and for counseling; in addition, two bathrooms (washbasin and toilet) are located in this area, one in 9 North, and one in 9 South.

ELEVENTH AND TWELFTH FLOORS

11 North *

11 North consists of 6 clusters of 8 rooms each (on two floor levels) for a total of 48 rooms. These room clusters open onto a two-story multipurpose room (see below). Except for individual rooms, bathroom and shower facilities and the pantry, all areas of the unit have wall-to-wall carpeting.

(i) Residential Rooms

Residential rooms in each cluster open onto a corridor.** The three corridors on the lower level each measure approximately 34′-6″ x 10′-0″, or 339.35 sq. ft.; the three corridors on the upper level, including stairway landings, measure approximately 38′-2″ x 10′-0″, or 364.12 sq. ft. The residential rooms have the following dimensions and contain the following furnishings:

No. of Rms.	Dimensions	Sq. Ft.
24	7′-6″ x 11′-6″	75.9
16	7′-8″ x 11′-6″	76.99
8	7′-9″ x 11′-6″	77.66

Window (22″ x 51½″)
Bed (w/2 drawers)
Desk (w/3 drawers) and chair
Lamp and wall bracket
Towel rack and shelf
Book shelf
Mirror and light fixture
Washbasin and toilet

In addition, there is one shower located in each 8 room cluster, for a total of 6 showers.

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* There are two units on these floors. One unit, 11-South, is a dormitory and not involved in this motion; the present capacity of that unit is 120 beds.

** Each corridor has two windows, each measuring approximately 17″ x 52″.

(ii) Multipurpose room with alcoves (42′ x 38′-4″, or approximately 1649.52 sq. ft.) and a separate recreation room (approximately 278.99 sq. ft.) containing:

Windows (Multipurpose Rm):

2 windows, each measuring 12′-6″ x 9′-2″ divided into 4 vertical sections and 2 horizontal sections
1 window measuring 12′-6″ x 7′-2½″ divided into 3 vertical sections and 2 horizontal sections

Windows (Recreation Rm):

1 window measuring 22′-6″ x 3′-4″ divided into 5 vertical sections

10 tables (eating)
30 chairs
3 small round tables
5 couches
3 lounge chairs
2 color T.V.'s
3 pay telephones
2 long distance telephones *
1 two-unit mailbox (personal and attorney mail)
1 bookcase
1 pool table
1 ping pong table
1 water fountain
2 typewriters
1 jogging machine
1 exercycle
1 medicine ball
1 clothes washer and drier
1 linen closet
janitorial closet (w/cleaning equipment)

(iii) Education area with corridor (approximately

* Installed as of October 7, 1976.

919.84 sq. ft.) containing:

blackboard
tack board
table
school desks

(iv) Pantry with corridor (approximately 520.78 sq. ft.) containing:

1 microwave oven and table
1 drink dispenser (double unit)
1 coffee urn (4 unit)
1 refrigerator/freezer
1 ice machine
1 condiment table (w/6 unit holder)
1 counter (w/sink and storage area)
trash barrels

(v) Visiting Room (21′-8″ x 19′-½″, or approximately 415.35 sq. ft.) with adjacent inmate search room, containing:

1 window 19′ x 3′-4″ divided into 5 vertical sections
1 bathroom
1 water fountain
12 chairs
2 tables
couches

Administrative and Staff Offices

Adjacent to the education areas on 11 North and 11 South are six offices used by the Unit Management Team, and for counseling; one office is set aside for use by inmates on 11 South and 11 North for legal work. In addition, there are two bathrooms (washbasin and toilet) located in this area, one in 11 North and one in 11 South.

2. The MCC Daily Population Log Summary for each day since August 2, 1975 (the day the MCC opened), setting forth the population count at the MCC, is annexed to the Taylor Affidavit.

3. At certain times since the MCC opened, some inmates have been required, for short periods of time, to sleep on cots or beds placed in corridors or commons areas in various of the residential units. Prior to February 1976, and for not more than one night, a few male inmates slept on mattresses placed in corridors or commons areas in a residential unit; further on the evening of October 13, 1976, 6 individuals slept on mattresses placed in corridors or commons areas in a residential unit on that evening.

4. On the occasions when it has been necessary to house inmates on cots or beds placed in corridors or commons areas, it has been the MCC policy to assign inmates there based upon an inmate's expected duration of commitment at MCC (inmates with the shortest expected duration) and an evaluation of the health, security or safety risks posed by an inmates' assignment to such accommodations; as soon as rooms have become vacant, inmates housed in commons areas or corridors have been reassigned to such rooms based upon length of time in such area (longest first).

5. Since March 3, 1976, the MCC policy regarding assignment of inmates to residential units has been as follows:

Unit	Designation
Hospital (9-bed unit)	As needed
Honor Unit	Cadre and pre-release
3	Protective custody
5 South	Women
5 North	Cadre and undesignated volunteer workers
7 South	Pre-trial detainees
7 North	Pre-trial detainees
9 South	Maximum security; administrative detention; disciplinary segregation
9 North	Pre-trial detainees
11 South	Writ and other sentenced
11 North	Sentenced, parole violator and writ

6. The "cadre" consists of individuals who after conviction and sentencing, have been designated to serve their sentences at the MCC, and parole or probation violators. Members of the cadre are assigned to work at various administrative and other jobs at the MCC.

7. (a) Individuals assigned to Units 5 North (cadre and undesignated volunteer workers), 5 South (women) and the Honor Unit (cadre and pre-release) are locked in their residential rooms only when such individuals are placed under administrative detention. At all other times, individuals in these units have unrestricted access to all areas (except administrative offices) of the residential units to which they have been assigned.

(b) Individuals assigned to Units 3, 7 North, 7 South, 9 North, 9 South and 11 North are locked in their residential rooms only at the following times:

(i) 11:00 P.M. to 6:30 A.M.;
(ii) Head counts (4:00 P.M. and 7:30 P.M.)
(iii) When placed under administrative detention or disciplinary segregation.

At all other times, individuals in these units have unrestricted access to all areas (except administrative offices) of the residential units to which they have been assigned.

8. It is the MCC policy to assign and designate an inmate for confinement at a particular correctional institution within 1 or 2 days of the date on which the MCC receives the inmate's Judgment and Commitment from the sentencing court.

9. After assignment and designation of an inmate as described in paragraph 8 *supra*, it is the MCC policy to transport the inmate (if not assigned to and designated for the MCC) to the designated institution at the earliest possible time.

10. As of May 11, 1976 the Bureau of Prisons assigned to the MCC and commenced operating, a 22-seat bus; this bus is used by the MCC to transport individuals between the MCC and other federal correctional facilities.

11. The MCC general library contains approximately three thousand hardbacks books consisting of general ref-

erence, fiction and nonfiction titles; in addition, the library contains approximately 5,000 paperback books (fiction and nonfiction). Approximately once every three weeks, the MCC receives 2,000 to 3,000 paperback books for distribution to inmates.

12. Books from the MCC general library are placed on carts or racks in the residential units for use by the inmates there. The selection of books on these carts are changed approximately once every three weeks.

13. Inmates may request a particular book or a book on a particular subject from the general library.

14. The definition of contraband is contained in paragraph 702 of the Custodial Manual, Policy Statement 20001.B which provides as follows:

702. CONTRABAND

1. Contraband may be best defined as any item or article inside an institution that was not issued by the institution, purchased through approved channels or approved for issue by an appropriate staff member. Authorized items may be considered contraband when found in excess quantities, or altered from original status.
2. The following items shall always be considered contraband, within any federal penal or correctional institutions:

   a. Guns and firearms of any type.
   b. Ammunition, explosives.
   c. Knives and tools not provided in accordance with this manual.
   d. Hazardous and poisonous chemicals and gases.
   e. Narcotics and drugs. These can be dispensed and in the possession of offenders only as authorized by the institution medical department.
   f. Intoxicants, such as liquor and alcoholic beverages.
   g. Currency, where prohibited.

15. Inmates at MCC are not permitted to have electric shavers or personal typewriters and are normally not

permitted to receive packages, including food packages or personal effects, from outside the institution except on Christmas and certain Jewish holidays.

16. The items for sale in the MCC commissary are set forth in the commissary list annexed to the affidavit of Warden Larry Taylor.

17. In addition to the books listed in Exhibit C to the affidavit of Michael A. Young, the MCC law library contains Wright's Federal Practice and Procedure, those portions of the Bureau of Prisons Policy Statements pertaining to inmates, a copy of recent revisions of the parole regulations as set forth in the Federal Register, and the current advance sheets for the Supreme Court Reporter.

18. Current advance sheets, and when available, new hardbound volumes of the Supreme Court, Federal Second, Federal Supplement, and Criminal Law Reporters, as well as pocket supplements to Modern Federal Digest, Federal Digest, and United States Code annotated are received regularly by the MCC law library as part of its subscriptions to these reporting, digest, and annotation services. This constant updating of these materials has occurred since the opening of MCC and is done pursuant to the provisions of the Bureau of Prisons Policy Statement 2001.20.

19. Since April 1976, the following newspapers have been available for purchase by inmates in all residential units from a vendor who visits each residential unit once a day:

New York *Times*
New York *Daily News*
El Diario
Amsterdam News

20. Inmates have access to at least one television (see paragraph 1 *supra*) from 6:30 A.M. to 11:00 P.M. except when locked into their residential rooms as described in paragraph 7 *supra*.

21. Portable radios are available for purchase from the MCC commissary by inmates.

22. Every other week, the MCC distributes, free of charge, a variety of recent news periodicals and other magazines to the residential units.

23. During a formal shakedown of an entire unit, room searches at MCC are performed out of the presence of the inmates whose rooms are being searched; during less formal searches of random rooms, the correctional officers have discretion to permit the inmates involved to stand at the doorway to their rooms to observe the search.

24. No receipts are given for contraband seized and confiscated as the result of room searches. However, where the contraband is of a serious enough nature to warrant disciplinary action (*i.e.* other than nuisance contraband), an incident report is filled out by a correctional officer, and a copy is given to the inmate.

25. On October 14, 1976 the MCC mail room received 508 letters to inmates of which 382 were personal letters.

Dated: New York, New York
October 18, 1976

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